



MEMORANDUM ENDORSED

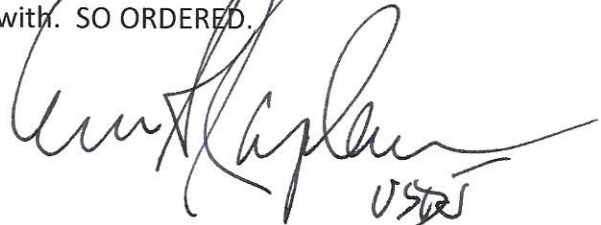
LARUSSO, CONWAY & BARTLING
ATTORNEYS AT LAW

June 30, 2020

Motion granted. Supervised release terminated
forthwith. SO ORDERED.

Electronically Filed

The Honorable Lewis A. Kaplan
United States District Court Judge
Southern District of New York
United States Courthouse
500 Pearl Street
New York, New York 10007



USDC
7.1.2020

Re: United States v. Jordan Fogel
Criminal Docket No. 17-CR-0308(LAK)

Dear Judge Kaplan:

With the consent of the Government and the Probation Department, I respectfully submit this motion seeking Early Termination of Supervised Release for my client, Jordan Fogel, as authorized in 18 U.S.C. § 3564(c) and 18 U.S.C. § 3583(e)(1). Mr. Fogel has successfully completed nineteen months of a three-year term of supervision. I have discussed this matter with Assistant United States Attorney Ian McGinley, and he has advised me that he has no opposition to our request.

Under 18 U.S.C. § 3583(e), a district court may, after considering the factors set forth in 18 U.S.C. § 3553(a), "terminate a term of supervised release and discharge the defendant released at any time after the expiration of one year of supervised release ... if it is satisfied that such action is warranted by the conduct of the defendant released and in the interest of justice." 18 U.S.C. § 3583(e)(1); *see, e.g. United States v. Lussier*, 104 F.3d 32, 35 (2d Cir. 1997) (requiring court to consider § 3553(a) factors, "such as deterrence, public safety, rehabilitation, proportionality, and consistency, when it decides to modify, reduce, or enlarge the term or conditions of supervised release"). The district court is not required to make specific findings of fact with respect to each § 3553(a) factor; instead "a statement that the district court has considered the statutory factors is sufficient." *United States v. Cammarano*, 321 F.3d 311, 315-16 (2d Cir. 2003) (alterations omitted) (quoting *United States v. Gelb*, 944 F.2d 52, 56-57 (2d Cir. 1991)).

Mr. Fogel pled guilty before Magistrate Judge Gabriel W. Gorenstein on May 19, 2017, to a Six Count Information charging various violations including Title 18 U.S.C. 371 conspiracy to commit securities fraud. Following his arrest and plea, the defendant spent 18 months on Pre-trial supervision prior to his sentencing. During those 18 months, the defendant complied with all his conditions (including substance abuse and mental health